1: Herskovits E-4, 5 (1934) 1937 SV3 Haiti SV3
Mirebalais

608 remembrances are expected from them on birthdays or saints' days, while the young person, when older, often brings his problems to them, knowing that they will give him their most disinterested advice. A man may turn to his godparents for aid before asking it of his family, for they are regarded as truest of friends. Nor does he stand in awe of them as he does of his older relations. There is a free joking give-and-take between godparent and godchild, which reflects this attitude of warm affection. A person even stands in a special relationship to the children of his godparents, calling them "baptismal brothers" or "baptismal sisters." Among the peasants, though not among the inhabitants of the larger centers, not only marriage but even those non-Church unions otherwise socially sanctioned are frowned upon between "baptismal brothers and sisters." And Mirebalais has it that when Church marriage is contemplated by two such individuals, special authorization from the Archbishop must first be obtained.[8]

608 582

851 852 608 Saturday is the day favored for baptisms, permitting as it does the child to be brought to town on a market day. The mother rarely attends, and usually the father is also absent when the godparents bring the infant to the baptismal font, where the priest gives him his name and receives him into the Church. Later in the day the parents are visited by their friends and relatives, who, if they can afford it, bring gifts for the child and partake of the drinks and refreshments that are provided.

851 852 782 Following the Church baptism at an interval which varies with differing circumstances, the father and mother and the godfather and godmother present the child to the family deities. Arriving at the family habitation the father says:

[539] *"Mystères-o, nou' même qui te après Grand Maître protège et delivre, moin vin' remercie nou'. Et en même temps main petite la pou' ga'dé pou' moin. Pas quitté mauvaise lawou gagné l'empi' sou' li. Ba li force, santé,*

1: Herskovits E-4, 5 (1934) 1937 SV3 Haiti SV3
Mirebalais

595 593 671 The fact that Haitian law recognizes only monogamy introduces numerous overtones into the daily life of the people. If a church-wed wife discovers that her husband makes periodic visits to another woman, whether *placée* or not, serious quarreling between the legal wife and her husband follows. The "wife" may refuse to give food to her husband or to speak to him, and will upbraid him before their children, calling him *vagabond* — a strong word of opprobrium to the Haitian — and other terms which her facile tongue readily finds at hand. The status of the children under this dual family system is another reflection of the values it engenders. And though the account of this given in Mirebalais represents a folk-reaction rather than official procedure — for according to officials in the capital it does not exist in Haitian law — its value as a living belief which gives insight into the relevant attitudes outweighs its possible lack of validity in a legal sense.

858 In Mirebalais it is held that there are what may be spoken of as three classes of offspring. The first, which may be termed "natural" children, are those born to a man by his *placée* wife or wives before his Church marriage, or to a *placée* woman whose mating with him was later legalized by the rites of Church and State. The second class, the "legitimate" children, comprises those born to couples married in the [848] [878] strict legal sense of the word. Finally, a third category consists of those who may be called "illegitimate" children, and includes all the offspring of any *placée* spouse of a man taken by him after his Church marriage, or children of any of his earlier *placée* wives born subsequent to this marriage. None of these classes of children are at any special social disadvantage, and all not only inherit the African deities of their father, but must also fulfill their spiritual obligations toward him after his death by wearing mourning and performing all other required rituals.

● 582 241 671 858 851 Legally, however, the matter is different, for only the children born to a marriage recorded by the justice of the peace

1: Herskovits E-4, 5 (1934) 1937 SV3 Haiti SV3
Mirebalais

belong to the father, who, in turn, is the legally recognized father of all the offspring of his wife unless he divorces her — something which, because of Church regulations, occurs but rarely. Children born outside legal marriage have no right to the name of their father. Such a one is entered under his mother's name in the record of births, though he may and often does take his father's name in school or later in life, this ultimately becoming the name by which he is known and which he hands on to his children. It is in the inheritance of the father's property that children born of the various types of matings are said to be most strongly differentiated, though it was particularly with this method of distributing heritable goods reported in Mirebalais that officials in the capital disagreed. The assertion is made that while the children of a "legal" wife inherit three quarters of the estate, and the other "natural" children receive one fourth, the "illegitimate" offspring have no legal right to any of the dead man's property. They must either be provided for by their father before his death or be aided on occasion by a natural brother who has inherited from their common father and feels a moral obligation toward these children of their father. Children of plural wives call each other by the terms "brother" and "sister," and in some instances they get on fairly well together. More generally, however, their attitudes toward one another are colored by those of their mothers, so that verbal if not physical encounters may take place when they meet.

Where, as perhaps in the majority of cases, there is a monogamous union, "legal" or "*placée*," cemented by mutual affection and mutual interest in the future of the children, life goes on calmly. Each spouse performs the tasks allotted by custom, and the children are reared in an atmosphere which varies with the fortunes and temperaments of those who make up the household. Fathers are said to prefer their daughters, and mothers their sons, among their children, but for this the Haitian has no explanation other than the phrase: "This is natural."

1: Herskovits E-4, 5 (1934) 1937 SV3 Haiti SV3
Mirebalais

[2] Mackenzie, ii, 124.
[3] St. John, 162.
[4] Cf. Price-Mars (I), 201–2.
[5] Price-Mars (I), 205, gives this as the proper age for a man of the region of Kenskoff, near Port-au-Prince, to marry.
[6] Cf. Price-Mars (I), 216.
[7] Ibid., 211–12. A facsimile of this letter is given on pp. 213–15.
[8] Ibid., 216–17.
[9] Mackenzie, i, 38.
[10] St. John, 145–6.
[11] St. John, 145.
[12] Mackenzie, i, 57. Wirkus, 222, mentions a case of polygyny on the Isle à Gonave where the wives apparently inhabited one compound with their mutual husband.

CHAPTER VII

[1] This seems to differ in various parts of Haiti; thus, near Port-au-Prince, the father of the girl "designates to his future son-in-law the land where his house is to be built," according to Price-Mars (I), 216.
[2] Cf. Parsons (I), 163.
[3] Among the obligations of the peasant mentioned by Price-Mars (I), 34, is "the respect due to the elders who are the repositories of tradition."

CHAPTER VIII

[1] Whether or not *vodun* is a religion, a problem which Haitian writers (e.g., Price-Mars (I), 32 ff.) are prone to debate at length, need not be considered here, since to an ethnologist the answer is too patently affirmative to require discussion.
[2] St. Mery, i, 45–6.
[3] Ibid., i, 46.
[4] De Vassière, 178–9.
[5] Dorsainvil (I), 156 ff.; Price-Mars (I), 39.
[6] For a useful resumé of statements concerning Haitian serpent-worship, the grievous misunderstanding of which is an outstanding characteristic of this honest but ill-conceived work, see Williams, *passim*.
[7] Price-Mars (I), 118 ff., also records his belief that serpent-worship is far less important than it has been represented, saying: "We believe it to be well-nigh abolished." Seabrook, 310–12, also holds to this view.
[8] Parsons (I), 157, states: "There is little or no philosophic or religious expression of the theory to be

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

Modern usage, having borrowed the word "caste" from India, employs it loosely to mean a rigid class system of which the people are conscious.[4] In India caste was always endogamous and connected with occupation. Kroeber defines it as "an endogamous and hereditary division of an ethnic unit occupying a position of superior or inferior rank or social esteem in comparison with other such subdivisions."[5] Castes, as distinguished from social classes, "have emerged into social consciousness to the point where custom and law attempt their rigid and permanent separation from one another." By each of these criteria Haiti has castes.

The élite are endogamous in that they would not consider marriage into the masses. The one exception to the endogamic practice is marriage with a white foreigner. Whereas in India all members of a caste had the same general occupation, in Haiti several occupations are open to caste members; but the distinction between honorable and demeaning work is understood by all, so that no person has free choice as regards the two larger categories. Haitian law does not name the social divisions, nor does it legislate the masses into a subordinate position[6]—for the simple reason that there is no conceivable need to enact what already exists. The laws of Haiti are administered by élite officials; these men make the definitions and interpretations. The judge always knows the custom, so that (as in most countries) the same offense brings different penalties for upper- and lower-class offenders. Custom holds sway, and custom is more tyrannical than any body of law.

Inside the castes may be found social distinctions familiar in democracies and in every other kind of society. Interest in politics, business, literature, or sport draws people of like minds together and makes cliques. There are well-to-do families who outshine their neighbors, just as there are peasant landholders who dominate their rural communities. A high civil official has more prestige than a doctor with a small practice, just as among the masses a house servant for an élite family outranks a beggar.

For the majority of Haitians, life is too elemental to be concerned with artificial wants. The peasant talks, unfettered by rules of gram-

4. See also W. Lloyd Warner, "American Caste and Class," *American Journal of Sociology*, XLII, No. 2 (Sept. 1936), 234-237; and John Dollard, *Caste and Class in a Southern Town* (New Haven, 1937), pp. 62 ff.

5. A. L. Kroeber, "Caste," in *Encyclopaedia of the Social Sciences*, III, 254.

6. Such efforts were made, however, in the early days of the republic. See chap. III.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

therefore plantations must be made to yield the uttermost farthing if the nobleman was to pay for the necessities of strict court etiquette. It was by no means a childish whim which prompted Christophe to call himself a king; rather an intelligent utilization of the human material the leader had to work with. Vanity was to serve an economic and a political purpose.

Christophe perceived that the defect of Dessalines' reign had been lack of security, both of person and property. Agriculture is a long-term investment and so must be hedged about by orderly rules. To this end the monarch stated his laws clearly, charged a fixed tax—one fourth of the annual crop—which would enrich the kingdom while allowing the tenant-proprietor a reasonable profit, and then guaranteed that no arbitrary demands would be made. Certainly there was no pampering of the wealthy, but there was ample prosperity resulting from regularity and security.

The ordinary citizen was, as he had been, bound to the soil as an agricultural laborer. This quasi-serfdom, however, was comparative freedom. It simply meant that the home and work of a man must be at the plantation on which he had been born. Saturday afternoons and Sundays were free, so that the laborers might make the most of their opportunities to visit the nearest market village, to buy and sell small goods, gossip, and enjoy the sociability of being part of a crowd. Being bound to the soil meant simply that they could not move, when the impulse seized them, to another plantation or another part of the country. Those whose mothers or relatives were natives of a plantation must return to that estate, being forbidden to live in towns. No person, military or other, who did not derive his living from a plantation, could marry an agricultural worker—a prohibition designed to prevent workers from leaving estates because of family ties, and particularly to prevent women, as mothers of future cultivators, from deserting agriculture.

Mediaeval serfdom itself went no further in binding people to the soil. Indeed, it did not go so far in regulating the daily life of serfs. Under Christophe the cultivators lived according to a routine as strict as that of a school. Reveille was rung as early as three o'clock to arouse women to prepare breakfasts for their menfolk; by four or four-thirty the bell was sounded for the commencement of work, which began after prayers had been led by the overseer. At nine o'clock there was a pause for luncheon, and then a resumption of

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

may not have all the heart desires. Under Dessalines there had been stern discipline of the workers but no recognition of the aristocracy; now under Pétion the people went their own inefficient way, but aristocratic eminence was happily recognized.

Examples of experimental legislation abound. Some proposals succeeded but more failed. One of the partial successes was the establishment of an agricultural holiday, *la fête de l'Agriculture*, to stimulate interest in good cultivation. Two months before the day set, the commandants of departments, arrondissements, and cantons, together with the justices of these divisions, were to nominate the laborer in each parish who had done the best work of the year. A prize medal was awarded not only for the sake of honoring him but also to stimulate his fellows. Similarly the officials would choose a child between seven and ten years of age, living on the best cultivated *habitation* in the district and belonging to parents most distinguished by their conduct and fondness for work, to be brought up and educated at the expense of the state. The annual feast was celebrated for many years after Pétion's death, but the officials became too lax to make careful selections of prize-winners. The holiday was kept, therefore, but served none of its original purposes.

As a case of legislation that failed may be cited the highly moral measure encouraging, but not requiring, legitimate marriages among cultivators rather than the customary informal union without ceremony. The preamble of this law pointed out that legal marriages were

> the only means of assuring a person of all the advantages of society; of procuring consolation, care, and help in sorrows and in sickness; of making purity of customs, so necessary for the happiness of men and the conservation of their health, reign among the people; of steadily increasing the population of each habitation; of extending agriculture and of increasing production.[30]

The mass of people, however, had had no experience of legal marriage. In the time of slavery such unions would not have been respected by an owner who wished to sell his slaves, and Dessalines had seemed to care very little whether people married or merely lived together informally. It will shortly be seen in detail how lasting was this inertia of tradition.[31]

30. Cited in Saint-Rémy, *op. cit.*, V, 29.
31. See Part III, "Sex Relations and Home Life."

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

to appoint, curés to the vacant parishes. His independence of action could not fail to give offense to Church authorities. One of his first appointees was a black ex-slave, Félix, who had been a drum major in the native army. Félix was made curé in the important town of Saint-Marc.

The constitution of his empire (May, 1805) indicates that Dessalines did not intend to make himself head of the Church, but rather planned a complete separation of Church and State. Article 50 reads: "The law admits no dominant religion"; while the next article grants freedom to all cults and refuses state support to any denomination or minister. No attack was made, therefore, upon Catholicism, yet the disestablishment of that Church was a serious blow to its prestige. Not in the specific provisions regarding religion was the Church most weakened, but rather in the "liberality" of articles dealing with actions upon which the Church had taken a firm moral stand. Thus Article 14 declared that "marriage is an act purely civil and authorized by the government," while Article 15 permits divorce by the state. Early laws of the empire still further undermined the position of Church doctrine. Illegitimate children were granted the same legal rights as legitimate ones—a generous provision which removed one of the strong reasons for marriage; separation of husband and wife except by divorce was forbidden, and this prohibition practically encouraged the divorce disapproved by the Church; finally, the grounds upon which divorce might be allowed were broader than those existing anywhere else in the Western World at the time: mutual consent, application from one party to the marriage, or simple allegation of incompatibility of temperament or character.

From the promulgation of this constitution in 1805 and for the next fifty-five years, Haiti was in open schism from the Roman Catholic Church. The Holy See refused to recognize either the Haitian state or the provisions of its constitution, and it declined to allow priests to enter the country. Certain Haitian presidents were friendly enough to Catholicism, and others were openly desirous of reëstablishing a state religion, but the breach once made was not healed by mere good wishes. The longer the schism endured, the farther the people grew away from the doctrines and practices of a religion in which they had never been firmly grounded. At the moment of independence, when all minds were more open to new

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

themselves and their families economically and socially. Property was important, so they took pains to insure the legitimacy of their heirs; color was crucial, and so they regulated the marriages of their children to be sure there was no reversion to the black strain. They guarded their fortunes solicitously, provided their daughters with dowries large enough sometimes even to lure a white husband, educated their sons in Paris—behaved, in short, as if they had been pillars of society in provincial France. Like the white planters, the male affranchis often had relations with slave women, but even more rarely than whites were they seduced into marriage with women of the lower orders.

When the slave insurrection and its aftermath freed the half-million blacks in Saint-Domingue it was not to be expected that European middle-class morals and practices should suddenly prevail. Modern usage emerges from the womb of tradition. Neither in Africa nor in the colony had tradition taught the blacks respect for monogamy or for marriage entered into by religious ceremony. If the ex-slaves had reverted to their Dahomean, Congolese, or other African background, they might have introduced the bride price; but to pay a bride price is to assume the existence of wealth, an assumption contrary to fact among the ex-slaves in Saint-Domingue of the 1790's, and Haiti of the 1800's. In neither Dahomey nor the Congo was there much ceremony at the union of a couple; what there was consisted mostly of singing and dancing. If, on the other hand, the people went only by what they had observed in slave days, there was no tradition of binding union or strict codes, as we understand them. A man knew when to stay away from another man's woman; children remained near their mother—these two statements almost cover the situation as of 1796 among the newly freed slaves.

Toussaint, apparently a conventional person in what concerned social behavior, wished his people to be "moral." He instituted a time of "holy masses, mystic communions, biblical psalms, and divine ecstasies"[a] for his private edification, and recommended the same for his people. He could not possibly have instilled into them a desire for Christian marriage, however; even if he could, priests would not have been available for the wholesale marrying of scores of thousands of men and women. Local records of weddings at this period are very scanty.

a. Saint-Rémy, *Pétion et Haïti*, III, 93.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

The truth is, marriage and moral conditions differ from economic and political conditions in that they are not so immediate and pressing in their effect upon individual lives. If these are not attended to today, tomorrow will find our bellies empty and our state overrun by enemies. But sex relations go on willy-nilly, and children are born into families: there will still be marriage and a moral problem to attend to when order has been brought into practical affairs. Toussaint was involved in a diplomatic battle in which the participants were the best minds of France, England, and the United States. Beside these mighty problems upon which depended the economic and political future of his people, the question of a standard of sex conduct was definitely secondary.

So it must have seemed to Dessalines, the founder of the state and first "law-giver" of Haiti. By his official actions it is evident that the economy of the country was his primary concern, with defense against a return of the French a close second. In his pronouncements he bowed respectfully to religion and then postponed action until some more convenient season. He pronounced likewise some very proper sentiments on marriage and morals, calling attention to the benefits of wedlock, piously deprecating sensuality and voluptuousness. His imperial constitution of 1805 encouraged lawful unions, treating marriage as a socially virtuous state to be cultivated.

This was all words, however, and came strangely from the black general who was, as everyone knew, a notorious libertine. He lectured his people on the danger of yielding to their passions, yet showed no intention of controlling his own impulses or those of his favorites. He was, indeed, the last man in Haiti to make a gesture toward sexual morality among the people, for although he was married his daily life was a complete negation of moral precept. In every town he habitually visited he established mistresses, bestowing large sums of money upon them. He employed every sort of seduction, honor, and gift to conquer the virtue of females who valued their "respectability." Actually, he did not often need to use violence, for the prevailing moral tone was not so high but that most young and attractive women would yield to their Emperor.

The sternly upright Haitian historian, Madiou, has a formidable paragraph on the vices of Dessalines. He tries partially to excuse him on the grounds of his fury at discovering conspiracies against his authority among his colored lieutenants, asserting that his early gen-

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

175 While the broad problems of marriage, inheritance, and legiti-
•512 macy were not to be solved by the official act of any ruler, the efforts made, particularly those by Dessalines and Christophe, had their effect upon the development of the marital institution in Haiti.

671 "Whereas," begins the preamble of Dessalines' law of May 28,
848 1805, "it is necessary to fix in immutable order the status and rights of children born out of wedlock, and whereas it is important to reconcile what nature and society owe them with the political interests of the state," therefore it behooves the government to lay
[581] down the specific rules which follow. Nothing in the law pushes the people toward marriage, but every provision strengthens the family, which they had known both in Africa and in the slave régime of the colony.

175 Henceforth no stigma is to attach to the fact of illegitimacy, nor is
671 there to be discrimination in favor of children born in wedlock. The
848 status of a child will depend upon recognition by its parents. If a
428 child's maternal connection is established, he has rights in her property; if the father likewise recognize his offspring, the child has rights in the paternal property; even if the recognition of a child is so long delayed that the parents die, that child who can prove his descent is to receive the name and his own share of property from the deceased. There is but one single provision in which an illegitimate child has an inferior status: should a couple decide to be legally married, they must recognize the natural offspring of either party before or during the wedding ceremony, if such children are to have full claims of inheritance; delay until after the ceremony cuts their claim to only one fourth that of children born legitimately; refusal to recognize the natural child disinherits him, unless he can prove his descent.

[422] Since the Emperor was already engaged upon his campaign to
[423] acquire lands for the state, the property rights guaranteed would refer chiefly to personal property, and only secondarily to land still owned by individuals. Both men and women owned personal property, however, and must therefore pass on this property, a definite percentage going to each son and daughter.

The law is weak in some of its details. It does not specify, for example, how an unmarried father shall leave his property—whether by name to each child he has recognized as his own, or by name to the mothers of his children. It is strong in that it is simple: property

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

be explained only as efforts to win outside respect for his kingdom of blacks. He was aware of the scorn in which white people held the apparent absence of all sexual morality in Haiti, and so set about introducing reforms. Even as a general he had opposed the dissoluteness of Dessalines.

In an early pronouncement Christophe proscribes concubinage (by which he meant the unmarried unions of the people), libertinage, and "all those disorders which weaken the family." To proscribe an evil is not necessarily to put an end to it, however, and so he tried also to persuade and educate his people to the habit of full legal marriage. His steps at persuasion were various. In speeches he urged weddings upon his subjects; yet a man could see little reason for tying himself to one woman for life, assuming *legal* responsibilities at an expense, when already from experience he knew that he could have a woman's loyalty without the ceremony. Although weddings somewhat increased after 1806, Christophe's verbal campaign was a failure. He next tried force. In one town he made all the females assemble in the public square; then, separating the married from the unmarried, commanded his royal guards to advance, each to select an unmarried woman who should become his wife. At other times he selected young men and women by lot and had them married "by their King's authority." No nobleman in the kingdom could long remain unwed: indeed, Queen Victoria might have approved Christophe's solicitude for the moral uprightness of the Haitian court.

Another means by which Christophe forced his people into formal marriage was the indirect one of attacking property rights. Realizing that Dessalines' law by guaranteeing inheritance to natural children encouraged people to remain unmarried, he rescinded it by one of the first acts of his rule.[5] This act reëstablished French practice, making it all but impossible for illegitimate children to inherit anything. Most persons of property found this law persuasive where words had left them cold. Madiou thought the law "excessively severe in a country where nine hundred and ninety-nine out of every thousand of the population were born out of wedlock,"[6] and he spoke of its disharmony with general practice at the time. Actually, it seems not radically to have affected the matter but only the fairly well-to-do.

5. Law of March 25, 1807.
6. Madiou, op. cit., III, 422.

3: Leyburn Z-4, 5 (no date) 1966
SV3 Haiti SV3

spouses. In the hills more than one peasant house was surrounded, as it would have been in Dahomey, by huts in each of which lived a "wife" of the farmer. Matters are not very different nowadays, except that men have learned the wisdom of not having their women live too close to each other.

From the guesses of experienced observers, it is probably not far wide of the mark to estimate that only one couple out of a hundred is married according to the approved mode of the Western World.

The State apparently does not care; or, to put it another way, government officials know how impossible it would be to alter a custom confirmed by long usage; one which, moreover, works well enough, since it causes practically no violence or legal cases for the State to attend to. The Catholic Church, on the other hand, is eager to persuade the people to observe the sacrament of holy matrimony. The priests have assiduously endeavored to explore the peasant mind in order to learn what deters the average person from formal marriage. The reasons for the indifference to weddings might be listed as follows:

1. Inertia. There is no convincing reason to vary time-honored practice which works well enough, particularly since a wedding is likely to cause a great disturbance of daily routine and even a measure of jealousy on the part of those who have not made the display.

2. Suspicion of legal documents and civil officials. People who put their names (or marks) on documents and who call the attention of governmental officials to themselves are almost sure to rue the day. A man knows what can be demanded of him by custom in his informal unions; but who can say what the law would hold him responsible for?

3. Expense. The civil license costs; the priest and his assistants must be paid; to be married in church, one should wear shoes; if one wears shoes, one should dress up to them; a church wedding calls for a feast. At least two days must be spent away from work if the proper formalities are carried out.

4. Common sense in an inevitable situation. Both State and Church would try to limit a man to one wife; prosperity might demand two or more. Is it sensible to discriminate against a second woman, who might be just as much help to a man as his legal wife?

The Church through its priests works unceasingly to answer these arguments, but without notable success. Inertia is hard to overcome;